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Attorney for Defendant
Randall Gath

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 2:04-cr-00389-MCE
)	
Plaintiff,)	
)	STIPULATION AND ORDER VACATING
v.)	DATE, CONTINUING CASE, AND
)	EXCLUDING TIME
RANDALL GATH,)	
Defendant.)	
)	Date May 17, 2007
)	Time: 9:00 a.m.
)	Judge: England

IT IS HEREBY STIPULATED by and between Assistant United States Attorney Phillip Talbert, Counsel for Plaintiff, and Attorney Dina L. Santos, Counsel for Defendant Randall Gath, Attorney Steve Bauer for Defendant Adan Ayala, Jr., Attorney Dwight Samuel for Defendant Oscar Santana, and Attorney Fred Dawson for Defendant Maria Hernandez, that the status conference scheduled for May 1, 2007, be vacated and the matter be continued to this Court's criminal calendar on May 17, 2007, at 9:00 a.m.

This continuance is requested by the defense in order to permit counsel to conduct investigation and continue in negotiations with the prosecution in attempt to finalize a plea agreement.

IT IS FURTHER STIPULATED that time for trial under the Speedy Trial Act, 18 U.S.C. § 3161 *et. seq.* be tolled pursuant to § 3161(h)(8)(A) & (B)(iv), Local code T-4 (time to prepare), and that the ends of justice served in granting the continuance and allowing the defendant further time to prepare outweigh the best interests of the public and the defendant in a speedy trial.

The Court is advised that all counsel have conferred about this request, that they have agreed to the May 17, 2007 date, and that Mr. Talbert and all defense counsel have authorized Ms. Santos to sign this stipulation on their behalf.

IT IS SO STIPULATED.

Dated: April 30, 2007 /S/ Dina L. Santos
DINA L. SANTOS
Attorney for
Randall Gath

Dated: April 30, 2007 /S/ Steve Bauer
STEVE BAUER
Attorney for
ADAN AYALA

Dated: April 30, 2007 /S/ Dwight Samuel
DWIGHT SAMUEL
Attorney for
OSCAR SANTANA

Dated: April 30, 2007 /S/ Fred Dawson
FRED DAWSON
Attorney for
MARIA HERNANDEZ


Dated: April 30, 2007 /S/ Phillip Talbert
PHILLIP TALBERT
Assistant United States Attorney
Attorney for Plaintiff

O R D E R

IT IS SO ORDERED.

By the Court,

Dated: May 2, 2007


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE